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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,890	03/22/2002	Jan Bengtsson	003300-890	8187
21839	7590	10/04/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			ALIE, GHASSEM	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			3724	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/018,890	<b>Applicant(s)</b> BENGTTSSON ET AL.	
	<b>Examiner</b> Ghassem Alie	<b>Art Unit</b> 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/26/01</u> . | 6) <input type="checkbox"/> Other: ____.  |

*Drawings*

1. The drawing is objected to under 37 CFR 1.83(a) because it fail to show a perforated bored for separating water via collecting funnel 17 and a pump and at least one hydrocyclone, and an extra washing water supplied between the second and third washer. See pahe4, line 21 and page 5, lines 1-8 in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).
2. The drawing is objected to under 37 CFR 1.83(a). The drawing must show every feature of the invention specified in the claims. Therefore, an inlet of hydrocyclone connected to the first section of the collecting tank and an extra washer for extra washing of the root vegetable between the second and third washer must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
3. The drawing is objected to because there is an arrow in the drawing that does not point to any part and there is reference number assigned to it. The arrow is located by the reference number 12 in the drawing.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be

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necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

4. The abstract of the disclosure is objected to because "a first washer (3) for washing slices of root vegetable with water when slicing the same," it is confusing. It is not clear how the washing machine also can slice root vegetable. The slicing machine 2 slices root vegetable and the first washer 3 only washes the root vegetable. Therefore, it is not clear how the first washer (3) slices root vegetable. See the drawing. Correction is required. See MPEP § 608.01(b).

### ***Claim Objections***

5. Claims 1, 4, 5, and 12-16 are objected to because of the following informalities: in claim 1, "and that a washer inlet is arranged in the portion (8)" should be --and a washer inlet is arranged in the portion (8). See claim 1, line 16. In claims 4, 5, and 12-16, "the third washer (2)" should be --the third washer (20)--.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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7. Claims 10 and 20-22 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding claims 10 and 20-22, the disclosure fails to teach how the inlet of hydrocyclone is connected to the first section and how does it separate discharge water from the circulation water. The specification also fails to teach what encompasses the mechanism that reflux the water for an extra washing between the second and third washer. It is also not clear what encompasses the extra washer for an extra washing of the vegetable. It is not clear how the discharged water is separated from the circulated water and how the water is carried to an extra washer. The entire mechanism that separates the discharged water from the circulated water inside the collecting tank and directs the water to an extra washer is not shown in the drawing and is not fully disclosed in the specification. It is not clear how the mechanism, which appears to be "a forth washer", relates to the other components of the apparatus shown in the drawing.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1, "a first washer (3) for washing slices of root vegetable with water when slicing the same," it is confusing. It is not clear how the washing machine also can slice root vegetable. The slicing device slices root

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vegetable and the first washer only washes the root vegetable. Regarding Claims 3 and 11, "drivers" lack antecedent basis. It is not clear what "drivers" means. Are the drivers the same as the portions on both sides of the intermediate portion of the second washer? It appears that the second washer only has a single driver, which is a single motor.

*Comment*

10. It should be noted that claims 1-22 have not been rejected over prior art. It appears that claims 1-22 read over prior art of the record. However, in view of the issues under 35 U.S.C. 112, first and second paragraphs, and the drawing objections, the allowability of claims 1-22 cannot be indicated at this time.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Entes (4,549,478), Zittle et al. (6,447,811 and 5,517,906), Nishibayashi (5,020,55), Barber et al. (2003/0183092), Crosset (2,666,711), Caridis et al. (4,251,895), Zittle (6,263,785), Kallas (4,173,493), Capannoli (4,472,272), Dickerson et al. (5,425,308), Kim (6,207,214), and Abrams (4,548,221) teach a washing installation for vegetable.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

September 30, 2004



Allan N. Shoap  
Supervisory Patent Examiner  
Group 3700